

Message Text

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ACTION ARA-14

INFO OCT-01 IO-13 ISO-00 HA-05 CIAE-00 COME-00 EB-08
INR-07 LAB-04 NSAE-00 SIL-01 DODE-00 PM-05 H-01
L-03 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06
AID-05 /097 W
-----002170 292115Z /75

R 292015Z NOV 77
FM AMEMBASSY SANTIAGO
TO SECSTATE WASHDC PRIORITY 7331
INFO USMISSION USUN NEW YORK
USMISSION GENEVA
USCINCSO

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E.O. 11652: N/A
TAGS: ELAB, SHUM, PINT, PGOV, CI
SUBJECT: LABOR LEADER MILTON PUGA SURRENDERS

REF: SANTIAGO 9556 (NOTAL)

1. SUMMARY: MILTON PUGA, SECRETARY OF EL TENIENTE EMPLOYEES UNION RANCAGUA SURRENDERED TO THE SANTIAGO COURT OF APPEALS NOVEMBER 28. HE IS BEING BANISHED TO CAQUENA ON THE CHILEAN ALTIPLANO. END SUMMARY.

2. PUGA TURNED HIMSELF IN YESTERDAY AFTERNOON TO THE SANTIAGO COURT OF APPEALS REQUESTING A PERSONAL WRIT OF HABEAS CORPUS TO PREVENT HIS BANISHMENT WITHOUT JUDICIAL REVIEW. ACCORDING TO HIS LAWYER, THE PRESIDENT OF THE COURT, JUDGE LETELIER, REFUSED TO SIGN THE WRIT BECAUSE THE SITUATION WAS NOT WITHIN THE JURISDICTION OF THE JUDICIAL SYSTEM.

3. PUGA THEN ATTEMPTED THROUGH HIS LAWYER TO SURRENDER TO THE SANTIAGO "INTENDENTE," THE LOCAL MILITARY GOVERNOR,
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WHO POLITELY REQUESTED HIM TO REMAIN WHERE HE WAS IN THE COURT OF APPEALS BUILDING WHILE HE SOUGHT INSTRUCTIONS. SOME THREE HOURS LATER, THE DISTRICT CARABINERO CHIEF ARRIVED AT THE COURT BUILDING TO PLACE PUGA UNDER CUSTODY AND TO TURN HIM OVER TO THE CIVILIAN POLICE (INVESTIGACIONES) OF THE MINISTRY OF THE INTERIOR. A CIVIL POLICE OFFICIAL STATED THAT PUGA WOULD BE BANISHED TO THE CHILEAN

ALTIPLANO TOWN OF CAQUENA ON THE BOLIVIAN BORDER, 54 MILES EAST OF PUTRE.

3. PUGA'S LAWYER WAS UPSET THAT THE APPEALS COURT REFUSED OUTRIGHT TO DO ANYTHING FOR PUGA, THEREBY "CONDEMNING HIM WITHOUT A TRIAL." HE TOLD THE LABATT THAT THE COURTS IN CHILE HAD BY THIS ACTION ABDICATED THEIR RESPONSIBILITY TOWARD THE CITIZENRY. HOWEVER HE PRAISED THE CONDUCT OF THE POLICE.

4. COMMENT: WE BELIEVE THAT PUGA AND HIS LAWYER FOUND THEMSELVES IN A PRECARIOUS POSITION. BY AVOIDING ARREST PUGA INCREASED HIS OWN DANGER AND RISKED THE WELL-BEING OF THOSE HELPING HIM. PUGA AND LAWYER PROBABLY HOPED THAT VOLUNTARY SURRENDER TO THE APPEALS COURT WOULD GUARANTEE PUGA'S SAFETY AND POSSIBLY POSTPONE HIS BANISHMENT. THEY WERE DISAPPOINTED ABOUT THE LATTER. THE APPEALS COURT, REASONING THAT ISSUANCE OF A WRIT OF HABEAS CORPUS FOR PUGA WOULD BE A DIRECT AND PROBABLY FUTILE CHALLENGE TO THE AUTHORITY OF THE EXECUTIVE, CHOSE NOT TO BECOME INVOLVED.

LANDAU

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LABOR, PENAL SYSTEM
Control Number: n/a
Copy: SINGLE
Sent Date: 29-Nov-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977SANTIA09677
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770442-0438
Format: TEL
From: SANTIAGO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t1977118/aaaaagir.tel
Line Count: 84
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: b517b71e-c288-dd11-92da-001cc4696bcc
Office: ACTION ARA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 SANTIAGO 9556
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 29-Dec-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 659641
Secure: OPEN
Status: NATIVE
Subject: LABOR LEADER MILTON PUGA SURRENDERS
TAGS: ELAB, SHUM, PINT, PGOV, CI, (PUGA, MILTON)
To: STATE
Type: TE
vdkgvwkey: odbs://SAS/SAS.dbo.SAS_Docs/b517b71e-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009